

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

COMMONWEALTH SCIENTIFIC AND
INDUSTRIAL RESEARCH
ORGANISATION,

Plaintiff,

Case No. 6:06-CV-324 LED

BUFFALO TECHNOLOGY (USA), INC., a Delaware corporation, and BUFFALO INC., a Japanese corporation,

Defendants.

NOTICE OF APPEAL

Pursuant to Rule 3 of the Federal Rules of Appellate Procedure, notice is hereby given that pursuant to 28 U.S.C. § 1292(c)(2), Defendants Buffalo Technology (USA), Inc. and Buffalo, Inc. (collectively “Buffalo”) hereby appeal to the United States Court of Appeals for the Federal Circuit from the following orders and all orders rendered appealable thereby:

- (1) Memorandum Opinion and Order dated May 8, 2006 [Document 104];
- (2) Memorandum Opinion and Order dated November 11, 2006 [Document 228];
- (3) Memorandum Opinion and Order dated June 15, 2007 [Document 266]; and
- (4) Permanent Injunction dated June 26, 2007 [Document 270].

Dated: July 3, 2007

Respectfully submitted,

By: /s/ Richard J. Coddling
(with permission by Allen F. Gardner)

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Attorneys for Defendants
BUFFALO TECHNOLOGY (USA), INC., and
BUFFALO INC.

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service and are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 3rd of July, 2007. Any other counsel of record will be served by first class mail on this same date.

/s/ Allen F. Gardner

Allen F. Gardner